

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Securities and Exchange Commission,	:	
	:	
Plaintiff,	:	Case No. 2:08-cv-667
	:	
v.	:	Judge Edmund A. Sargus, Jr.
	:	
One Equity Corporation,	:	Magistrate Judge Mark R. Abel
Triangle Equities Group, Inc.,	:	
Victory Management Group, Inc.,	:	
Dafcan Finance, Inc.,	:	
Michael S. Spillan,	:	
Melissa K. Spillan	:	
	:	
Defendants.	:	

**ORDER APPROVING ELEVENTH REPORT OF COURT APPOINTED
RECEIVER AND APPLICATION FOR APPROVAL OF FEES AND COSTS AND
FINAL DISTRIBUTION OF RECEIVERSHIP AND REQUEST FOR HEARING
TO SHOW CAUSE REGARDING REMAINING BALANCE OWED BY BRADLEY
MILLER**

This matter came before the Court upon the Eleventh Report of Court Appointed Receiver and Application for Approval of Fees and Costs and Final Distribution of Receivership and Request for Hearing to Show Cause Regarding Remaining Balance Owed by Bradley Miller [Doc. No. 267] and the Notice of Substitution of Exhibit 1 to the Eleventh Report of Court Appointed Receiver and Application for Approval of Fees and Costs and Final Distribution of Receivership and Request for Hearing to Show Cause Regarding Remaining Balance Owed by Bradley Miller [Doc. No.269] (collectively referred to as "Eleventh Report"). The Court finds that the Receiver served the Eleventh Report upon the Master Service List and the claimants and interested parties on May 17, 2013 and on May 22, 2013.

The Court ordered Bradley Miller to appear for a show cause hearing pertaining to the \$482.14 remaining balance owed on Tuesday, June 25, 2013 at 1:30 p.m., unless the remaining balance was paid prior to that date. Pursuant to the Order [Doc. No. 270] setting such show cause hearing, the Receiver notified the Court that payment was received from Mr. Miller prior to said show cause hearing. Therefore, the show cause hearing was not held.

The Court further finds that there is good cause to approve said Eleventh Report, as set forth herein. In the Eleventh Report, Receiver has provided the Court with a detailed report of his actions, negotiations, and status of the legal proceeding as of May 17, 2013.

The Court further finds that the Receiver has provided a detailed summary of his time, fees, and expenses as stated in the Eleventh Report. The Receiver and his counsel have expended time and effort to review, investigate, and liquidate assets of the receivership entities. The Receiver's fees and expenses have been reasonable, usual, and customary fees and expenses as charged in this community for such issues and matters as within this receivership proceeding. The Receiver has limited his application for final fees and expenses, for February 1, 2012 through the termination of this receivership, to the amount of \$45,000.00, and the Court finds that there is due cause to approve said fees and expenses in that amount.


The Court finds that Bradley Miller has paid the remaining balance due of \$482.14 to the Receiver. With this payment being received, the remaining balance available for distribution is \$152,441.89, after Receiver's final fees and expenses are paid in the amount of \$45,000.00. Therefore, the Court finds that the Receiver shall make a final distribution as set forth in the attached Exhibit 1. After the Receiver makes the final distribution, he shall file a final report in the form attached as Exhibit 3 to the Eleventh Report.

Based upon the foregoing, it is hereby ORDERED as follows:

1. The Receiver's Eleventh Report is approved and granted by the Court.
2. The Receiver's Application for Fees and Expenses for February 1, 2012 through the termination of this receivership is hereby approved in the amount of \$45,000.00 and the Receiver is authorized to make disbursement of fees and expenses approved for this time period in the total amount of \$45,000.00. Said disbursement shall occur out of the funds collected and held by the Receiver.
3. The Receiver shall make the final distribution pursuant to Exhibit 1 attached hereto.
4. Upon said final distribution being made, the Receiver shall file a final report in the form attached to the Eleventh Report as Exhibit 3.

IT IS SO ORDERED.

Date: 6-17-2013



Edmund A. Sargus, Jr.
United States District Judge

EXHIBIT 1

No.	Name of Claimant	Amount of Claim	Claims for Shares	Omnibus Objection / Other Disposition	Claim Allowed / Not Allowed	Amount of Allowed Unsecured Claim	Amount of Initial Distribution on Allowed Unsecured	Remaining Allowed Unsecured Claim	Amount of Final Distribution
1	Johnson, Roosevelt	\$18,850.00		first	not allowed				
2	Kiazen Consulting Inc.	\$64,065.00		first	allowed	\$15,000.00	\$4,890.62	\$10,109.38	\$219.27
3	Porter, Wright, Morris & Arthur LLP	\$68,885.35		second	allowed	\$64,134.14	\$20,910.34	\$43,223.80	\$937.52
4	Encore	\$		second	not allowed				
5	Windsor One, LLC - Thomas N. Botts	\$593,084.00		Motion to Compromise	Claim withdrawn per compromise				
6	Imagining Arts, LLC dba New Image Business Cards	\$298.63		second	allowed	\$298.63	\$97.37	\$201.26	\$4.36
7	Kevin O'Brien for Columbus Check Cashers, Inc.	\$1,731.08		second	not allowed				
8	Kevin O'Brien for Columbus Check Cashers, Inc.	\$583.02		second	not allowed				
9	Lawrence Taylor	\$3,145.00		first	not allowed				
10	Lawrence Taylor	\$3,423.00		first	not allowed				
11	Richard Hunter, Jr.	\$1,850.00		first	not allowed				
12	Colt W. Byers	\$888.00		first	not allowed				
13	Tadd W. Byers	\$20,400.00		first	not allowed				
14	Tadd W. Byers	\$31,450.00		first	not allowed				
15	Tadd W. Byers	\$3,400.00		first	not allowed				
16	Tadd W. Byers	\$3,400.00		first	not allowed				
17	Tadd W. Byers	\$1,461.00		first	not allowed				

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18	Coreen R. Byers	\$11,900.00		first	not allowed				
19	Coreen R. Byers	\$1,000.00		first	not allowed				
20	Christine Hunter	\$3,400.00		first	not allowed				
21	Christine Hunter	\$13,505.00		first	not allowed				
22	Christine Hunter	\$3,400.00		first	not allowed				
23	Internal Revenue Service			Motion to Compromise	Claim paid per compromise				
24	Ohio Dept. of Job & Family Svc.			Motion to Compromise	Claim paid per compromise				
25	Ohio Dept. of Job & Family Svc.			Motion to Compromise	Claim paid per compromise				
26	Square One Technology Solutions	\$14,565.40		second	allowed	\$14,565.40	\$4,748.91	\$9,816.49	\$212.92
27	Qwest Corporation	\$700.26		second	allowed	\$700.26	\$228.31	\$471.95	\$10.24
28	Ohio Bureau of Workers' Compensation	\$648.01		Motion to Compromise	Claim paid per compromise				
29	Ohio Bureau of Workers' Compensation	\$1,025.47		Motion to Compromise	Claim paid per compromise				
30	Ohio Bureau of Workers' Compensation	\$1,941.97		Motion to Compromise	Claim paid per compromise				
31	Columbus Check Cashiers, Inc.	\$2,696.73		second	not allowed				
32	Tagnolli, Steven T.	\$476,039.38		third	not allowed				
33	Leahy, Curtis F.	\$1,050,000.00		third	allowed	\$724,500.00	\$236,216.37	\$488,283.63	\$10,590.96
34	Kirkman, Paul	\$8,542.50		first	allowed	\$4,500.00	\$1,467.18	3,032.82	\$65.78
35	Dorton, Charles F.	\$20,658.40		first	not allowed				
36	Kirkman, Paul	\$20,658.40		first	not allowed				

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37	Owen, Alan J.	\$230,000.00		third	not allowed				
38	Johnson, Fred D.	\$9,350.00		first	Claim 38 not allowed (lien to be released on vehicle)				
38	Johnson, Fred D.	\$1,471.26		first	Claim 38 not allowed (lien to be released on vehicle)				
38	Johnson, Fred D.	\$2,916.55		first	Claim 38 not allowed (lien to be released on vehicle)				
39	Byers, Todd D.	\$30,405.00		first	Claim Nos. 39, 40, 41, 42 and 68 allowed	\$56,000.00	\$18,258.27	\$37,741.73	\$818.63
40	Byers, Todd D.	\$255,000.00		first	See Claim No. 39 above				
41	Byers, Todd D.	\$5,100.00		first	See Claim No. 39 above				
42	Byers, Todd D.	\$10,000.00		first	See Claim No. 39 above				
43	Amari, Carl	\$3,344,905.00		third	Per Agreed Order, Amari Claim allowed	\$2,969,071.78	\$968,037.76	\$2,001,034.02	\$43,402.80
44	Schwartz, Robert	\$547,531.00		third	allowed	\$367,670.48	\$119,875.48	\$247,795.00	\$5,374.72
45	Rambacher, Brittany	\$650.00		first	not allowed				

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46	JPMorgan Chase Bank, N.A.***			Motion to Compromise					
47	Finnegan, Lawrence L.	\$1,680.00		first	Claim Nos. 47, 48, 49, 50, 51 and 74 allowed	\$6,400.00	\$2,086.66	\$4,313.34	\$93.56
48	Finnegan, Lawrence L.	\$3,108.00		first	See Claim No. 47 above				
49	Finnegan, Lawrence L.	\$8,250.00		first	See Claim No. 47 above				
50	Finnegan, Lawrence L.	\$21,013.00		first	See Claim No. 47 above				
51	Finnegan, Lawrence L.	\$1,700.00		first	See Claim No. 47 above				
52	Baker, Emma J. (Deceased)	\$16,500.00		first	Claim Nos. 52, 53 and 54 allowed	\$20,000.00	\$6,520.81	\$13,479.19	\$292.37
53	Baker, Emma J. (Deceased)	\$39,755.00		first	See Claim No. 53 above				
54	Baker, Emma J. (Deceased)	\$17,000.00		first	See Claim No. 53 above				
55	Baker, Richard	\$37,000.00		first	Claim Nos. 55, 56, 57, 58, 59 and 60 allowed	\$77,400.00	\$25,235.54	\$52,164.46	\$1,131.45
56	Baker, Richard	\$49,550.00		first	See Claim No. 55 above				
57	Baker, Richard	\$49,500.00		first	See Claim No. 55 above				

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58	Baker, Richard	\$96,200.00		first	See Claim No. 55 above				
59	Baker, Richard	\$27,750.00		first	See Claim No. 55 above				
60	Baker, Richard	\$16,150.00		first	See Claim No. 55 above				
61	Hildebrand-Baker Frances	\$7,400.00		first	Claim Nos. 61, 62, 63 and 64 allowed	\$5,000.00	\$1,630.20	\$3,369.80	\$73.09
62	Hildebrand-Baker Frances	\$10,140.00		first	See Claim No. 61 above				
63	Hildebrand-Baker Frances	\$15,210.00		first	See Claim No. 61 above				
64	Hildebrand-Baker Frances	\$28,139.00		first	See Claim No. 61 above				
65	Finnegan, Sean (Hildebrand-Baker Frances)	\$1,450.00		first	Claim Nos. 65, 66 and 67	\$1,000.00	\$326.04	\$673.96	\$14.62
66	Finnegan, Sean (Hildebrand-Baker Frances)	\$2,175.00		first	See Claim No. 65 above				
67	Finnegan, Sean (Hildebrand-Baker Frances)	\$4,024.00		first	See Claim No. 65 above				
68	Byers, Todd D.	\$31,000.00		first	See Claim No. 39 above		See Above	See Above	
69	Jarrell, Melissa M.	\$1,921.35		first	allowed	\$1,921.35	\$626.44	\$1,294.91	\$28.08
70	Finnegan-Cox, Heather	\$92,500.00		first	allowed	\$26,650.00	\$8,688.98	\$17,961.02	\$389.58
71	Barnhart, Danny R.	\$463,662.50		first	allowed	\$32,586.40	\$10,624.49	\$21,961.91	\$476.36

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72	Sanfilippo, Annette	\$303,882.46		third	allowed	\$120,000.00	\$39,124.86	\$80,875.14	\$1,754.20
73	Bostic, Marcus	\$1,538.00		first	not allowed				
74	Finnegan, Lawrence L.	\$2,360.00		first	See Claim No. 47 above		See Above		
75	JPMorgan Chase Bank, N.A.	\$304,000.00		Motion to Compromise	Claim withdrawn per compromise				
76	Dale, Michael D.	\$125,596.44		third	allowed	\$14,776.08	\$4,817.60	\$9,958.48	\$216.00
77	Berglund, Anders		175,000	third	allowed	\$1,750.00	\$570.57	\$1,179.43	\$25.58
78	McGuire & Schneider, LLP	\$21,695.45		second	allowed	\$21,695.45	\$7,073.60	\$14,621.85	\$317.15
79	Luck Great Investments Limited		1,000,000	Motion to Compromise	Claim withdrawn per compromise				
80	Elite Shine Group, Ltd.		5,000,000	Motion to Compromise	Claim withdrawn per compromise				
81	Brightest Power Holdings, Limited		1,600,000	Motion to Compromise	Claim withdrawn per compromise				
82	Ohio Department of Taxation	\$58,657.91		Motion to Compromise	Claim paid per compromise				
83	Hoff, Andrew, Assigned to Debt Acquisition LLC	\$11,300,000.00		third	allowed	\$4,168,023.07	\$1,358,944.48	\$2,809,078.59	\$60,929.44
84	Hiley, Eugene Walter & Hiley Sherry Sindel		35,000	third	allowed	\$14,950.00	\$4,874.31	\$10,075.69	\$218.54
85	Tucker, Alvin C. III	\$1,092.00		first	allowed	\$1,092.00	\$356.04	\$735.96	\$15.96
86	Robbins Enterprises, Inc. (REI)	\$10,139,549.16		third	not allowed				

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87	Mottley, Charles	\$525,000.00		third	allowed	\$110,250.00	35,945.97	\$74,304.03	\$1,611.67
88	Internal Revenue Service	\$343,039.22		Motion to Compromise	Claim paid per compromise				
89	Bard, Wayne	\$3,566.73		first	allowed	\$1,066.23	\$347.63	\$718.60	\$15.59
90	Brannon, David L.	\$15,000.00		first	allowed	\$15,000.00	\$4,890.61	\$10,109.39	\$219.27
91	Stevens, Melissa	\$1,670.00		first	not allowed				
92	Long, Geoffrey A.	\$191,888.57		Stipulated Order Withdrawing Claim	Claim withdrawn				
93	Long, Geoffrey A.	\$110,239.05		Stipulated Order Withdrawing Claim	Claim withdrawn				
94	Polofka, Connie	\$150,000.00		third	not allowed				
95	Smith, Alan	\$547,336.20		third	allowed	\$58,323.13	\$19,015.70	\$39,307.43	\$852.59
96	Midwest Merger Management, LLC	\$1,596,000.00		third	not allowed				
97	Greencrest Marketing, Inc.	\$12,366.83		second	allowed	\$9,893.47	\$3,225.67	\$6,667.80	\$144.63
98	Levingston, Ann M.	\$1,164.00		first	not allowed				
99	Dille, Melanie	\$1,580.00		first	not allowed				
100	Ira Bodenstein as Court appointed Receiver		Unknown	third	Per Agreed Order, See Claim No. 43		See #43	See #43	
101	Laney, Matthew S.	\$47,500.00		third	allowed	\$18,615.88	\$6,069.53	\$12,546.35	\$272.13

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102	Fricke, Philip K.	\$195,000.00		third	not allowed				
103	Edwards, Adam	\$51,592.00		third	allowed	\$11,946.53	\$3,895.05	\$8,051.48	\$174.64
104	Marwick Investments, Inc.	\$4,125,000.00		Motion to Compromise	Claim Nos. 104 and 105 allowed	\$1,400,000.00	\$456,456.75	\$943,543.25	\$20,465.63
105	Marwick Investments, Inc.	\$4,125,000.00		Motion to Compromise	See Claim No. 104 above				
106	Maier, Robert E.	\$46,000.00		first	allowed	\$46,000.00	\$14,997.86	\$31,002.14	\$672.45
107	Smith, Helen	\$324,859.00		third	not allowed				
108	Beavers, Alan	\$1,960.00		first	allowed	\$1,960.00	\$639.04	1,320.96	\$28.65
109	Tommy Brown Auto Sales	\$20,655.00		second	not allowed				
	Triangle Real Estate	\$25,410.82			allowed	\$25,410.82	\$8,284.96	\$17,125.86	\$371.46
TOTAL						\$10,428,151.10	\$3,400,000.00	\$7,028,151.10	\$152,441.89